



June 6, 2017

Jean Crocco
Pro-Life Action League
6160 N. Cicero Avenue, Ste. 600
Chicago, IL 60646

jean@prolifeaction.org

**RE: Right to Know Law Request
DOH-RTKL-MSC-080-2017 AMENDED FINAL RESPONSE**

Dear Ms. Crocco:

The Pennsylvania Department of Health (Department) is writing this letter in final response to your written request for records under the Pennsylvania Right-to-Know Law (RTKL), 65 P.S. §§ 67.101-67.3104. I received your request on May 31, 2017. You requested the following:

A copy of the most recent accreditation for Planned Parenthood in Allentown and the availability of deficiencies and plans of correction for all Class A ASF abortion facilities who are accredited by agencies other than DOH.

Your request for the most recent accreditation for Planned Parenthood in Allentown is granted. We have enclosed the requested document. The Department had inadvertently given you the prior year accreditation. We apologize for the inconvenience.

On June 2, 2017 (the correspondence was erroneously dated June 7, 2017), the Department granted your request for the deficiencies and plans of correction for the Class A ASF abortion facilities by referring you to the following weblink:

<http://sais.health.pa.gov/commonpoc/content/publiccommonpoc/normalSearch.asp>

On the same date, you clarified that you were not seeking the deficiencies found by the Department, but those found by the American Association for Accreditation of Ambulatory Surgery Facilities, Inc. (AAAASF) in their alternative surveys, and the plans of correction established as a result of the surveys.

Your clarified request regarding deficiencies found by, and plans of correction established by, AAAASF is denied. Under the RTKL, a Commonwealth agency is required to provide "public records" in response to a RTKL request. *See* 65 P.S. § 67.301. The term "public record" is defined as "a record, including a financial record, *of* a Commonwealth agency that is not exempt under section 708, is not exempt from being disclosed under any other Federal or State law or regulation

or judicial order or decree; or is not protected by a privilege.” 65 P.S. § 67.102. The records you requested are not records of the Department or any other Commonwealth agency; any such records belong to AAAASF.

You have a right to appeal the denial of access to records under the RTKL. If you choose to appeal the denial of access under the RTKL, your appeal should be submitted in writing to the Executive Director, Office of Open Records (OOR), Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, Pennsylvania 17120. If you choose to file an appeal you must do so within 15 business days of the mailing date of this response and send to the OOR:

- 1) this response;
- 2) your request;
- 3) the reasons why you think the agency is wrong in denying access under the RTKL to the requested records.

Also, the OOR has an appeal form available on the OOR website at: <https://www.dced.state.pa.us/public/oor/appealformgeneral.pdf>.

Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Sincerely,



Lisa M. Keefer
Agency Open Records Officer
Pennsylvania Department of Health
625 Forster Street
825 Health and Welfare Building
Harrisburg, PA 17120-0701

Date of Mailing: 06/06/2017

Enclosure